

ORIGINAL *2 to CA 610*
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VINCENZO MAZZAMUTO, : CIVIL ACTION
Plaintiff, : NO. 1:CV-01-1157
:
v. :
:
UNUM/PROVIDENT : JUDGE CONNER
CORPORATION, et al., :
Defendants :

4
10/4/02
Jc
FILED
HARRISBURG, PA

OCT 03 2002

MARY E. D'ANDREA, CLE
Per *[Signature]*
Deputy Clerk

DEFENDANTS' MOTION IN LIMINE

Defendants UNUMProvident Corporation, Paul Revere Life Insurance Company and New York Life Insurance Company ("Defendants") hereby move in limine to exclude the following evidence from trial:

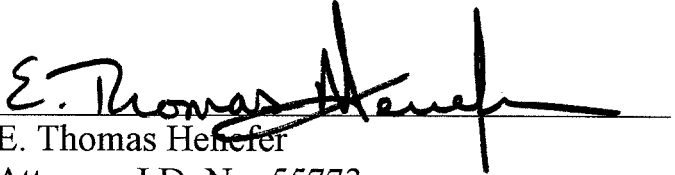
- (1) Plaintiff's receipt of Social Security Disability benefits;
- (2) the testimony of, or evidence concerning, Dr. Patrick McSharry;
- (3) the testimony of, or report of, Dr. Schneider;
- (4) correspondence between counsel; and
- (5) evidence of the waiver of life insurance premiums by New York Life.

Defendants' motion should be granted for the reasons set forth in Defendants' Memorandum of Law in Support of this motion, which is incorporated herein in its entirety.

WHEREFORE, for the reasons set forth above and in the accompanying Memorandum of Law, Defendants respectfully request this Court to grant their motion in limine.

Dated: October 2, 2002

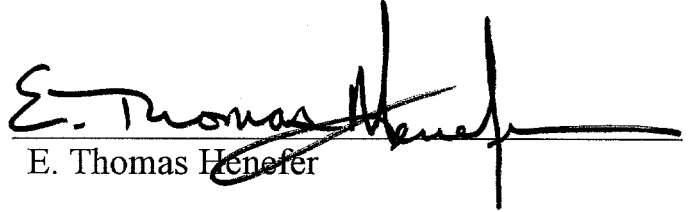
STEVENS & LEE

By 
E. Thomas Henefer
Attorney I.D. No. 55773
Kirk L. Wolgemuth
Attorney I.D. No. 45792
111 North Sixth Street
P.O. Box 679
Reading, Pennsylvania 19603
(610) 478-2000

Attorneys for Defendants UNUM Provident Corporation, Paul Revere Insurance Company, and New York Life Insurance Company

CERTIFICATE OF NON-CONCURRENCE

I, E. Thomas Henefer, Esquire certify pursuant to Local Rule 7.1 that
plaintiff's counsel does not concur in the foregoing motion.

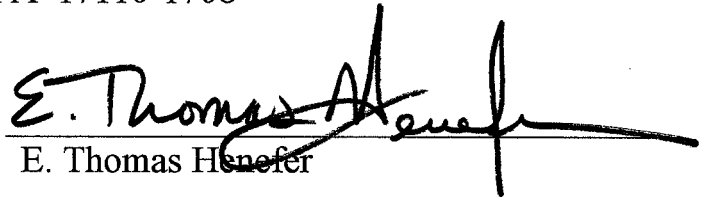

E. Thomas Henefer

Dated: October 2, 2002

CERTIFICATE OF SERVICE

I, E. THOMAS HENEFER, ESQUIRE, certify that on this date, I served a certified true and correct copy of the foregoing Motion upon the following counsel of record, via Federal Express, addressed as follows:

Richard C. Angino, Esquire
4503 North Front Street
Harrisburg, PA 17110-1708


E. Thomas Henefer

Date: October 2, 2002